GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Police - Disciplinary action against Sri A.Venkateswara Rao, ARSI, DAR, Kurnool, (now Retired) - Charges held Proved -Imposition of the Penalty of 10% (ten percent) cut in pension for a period of one year - Orders - Issued.

HOME (SERVICES.II) DEPARTMENT

G.O.RT.No. 994 **Dated: 04-10-2024**

Read the following:-

1. From the Director General of Police, AP., Mangalagiri letter Rc.No.362/T2/2022, dated:29-03-2022.
2. Govt. Memo No.697405/Ser.II/A2/2022, dated.02.07.2022.
3. From the DGP, A.P., Lr.Rc.No.362/T2/2022, dated.05.12.2022.
4. Govt. Lr.No.1697405/Ser.II/A2/2022, dated.30.11.2023.
5. From the Secretary, APPSC, File No.GAD03-APPS0DCC/ 124/2023 - DC.SEC-APPSC (Computer No.2304636), dated.12.03.2024
6. Govt. Lr.No.1697405/Ser.II/A2/2022, dated.30.07.2024.
7. From the Secretary, APPSC, File No.GAD03- APPS0DCC / 124 / 2023-DC.SECAPPSC (Computer No.2304636), dated.13.09.2024

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ORDER:

In the letter 1st read above the Director General of Police, A.P., Mangalagiri has stated that the Deputy Inspector General of Police, Kurnool Range, Kurnool vide letter has informed that, Sri A.Venkateswara Rao, ARSI, DAR, Kurnool, now Retired from service on 31.12.2019, was handed upon a Major Charge under Rule-20 of APCS [CC&A] Rules -1991, vide Memorandum of Charge C.No:C2/OEPR-16/2019, dated:23-11-2019 for the following delinquency:-

Major Charge: Article-I:- You had contacted Smt. Y.Lakshmi Devi, W/o late Y.Ranganna and promised to look after her welfare and lived together with her and had physical contact with her. On the request of Smt. Y.Lakshmi Devi, you married her by telling falsehood and stating that she is eligible for all the benefits as wife. After six months you had contacted with another woman by name "Raheembee" who is residing in the opposite house and commenced ill-treating Smt. Y.Lakshmi Devi and necked from your house as Y.Lakshmi Devi objected the ARSI to marry Raheembee. In this regard, on 2.9.2018 a Criminal Case was registered against you in Cr.No.235/2018 U/s 493,420 Et 506 IPC of Kurnool II Town PS and you surrendered in the Court and remanded for a period of 7 days.

Basis of the charge: Smt. Y.Lakshmi Devi, W/o late Y.Ranganna is seeking her livelihood by selling tea. She was blessed with one daughter and three sons. You acquainted with her and taking advantage of her poverty you asked her to work in your house in view of your wife's ill-health. After that, you promised to look after and her children and treat her as wife. She was with you for the last 14 years. Two years back your wife as expired. Then you tied mangalasuthram and promised to nominate her name in the service book to get terminal benefits.

Prior to 6 months you had illegal contact with a lady by name "Raheem bee" who is residing in the opposite house and quarried with her, you necked out Smt Y.Lakshmi Devi from the house. In this regard, she gave a complaint against you in Kurnool II Town PS and a criminal case was registered against you in Cr.No. 235/2018 U/s 493, 420 and 506 IPC. You surrendered in the court of law and confined to judicial custody and remanded for a period of 7 days from 9.10.2018 to 15.10.2018 and released on bail on 16.10.2018.

Article -II : You have applied for medical leave from 15.8.2018 to 12.9.2018 and absented for duties without leave or permission from 13.9.2018 to 11.12.2018.

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Basis of the charge: You went on medical leave from 15.8.2018 to 12.9.2018 and subsequently absented for duties without leave or permission from superior officers from 13.9.2018 to 11.12.2018. You reported for duty on 12.12.2018, at the time of reporting for duty you did not inform the facts about registration of criminal case against you and also detained judicial custody and hid the facts to the Unit Officer. As per Rule 3 of APCS (CCA) Rules, 1991:
[1] Every Government Employee shall be devoted to his duty and shall maintain absolute integrity Discipline, impartiality and a sense of propriety.

[2] No Government employee shall behave in a manner which is unbecoming of such employee or derogatory to the prestige of Government.

[3] No Government employee shall act in a manner which will place his official position under any kind of embarrassment.

[4] No Government employee shall, in performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment.

By the above mentioned acts, you have exhibited grave Misconduct, sheer dereliction, tack of devotion to duty and behaviour quite unbecoming of a Govt. Servant duly bringing disrespect to the image of Police Department and thereby contravened Rule-3 of AP.CS. [Conduct] Rules, 1991.

2. The Charged ARSI was placed under suspension by the Dy.Inspector General of Police, Kurnool Range, Kurnool vide proceedings C.No.C2/1976/2019 [R.O.O.No.750/2019], dated:06-08-2019 and released from suspension vide proceedings C.No.C2/1976/2019 [R.O.O.No.1137/2019], dated:22-11-2019.

3. The Dy. Superintendent of Police, CCS, Kurnool District who was appointed as Enquiry Officer conducted the Oral Enquiry against the ARSI and held the Article-**1 ' Not Proved**", and Article -**2 'Proved'**, The Dy.Inspector General of Police, Kurnool Range, Kurnool, provisionally agreed with the findings of the E.O., issued a Memorandum dated:21-09-2021 along with a copy of findings of the Inquiring Authority to Charged ARSI called for 'further written statement of defence' of ARSI. The ARSI has submitted his 'written statement of defence' on 25-10-2021.

4. The Deputy Inspector General of Police, Kurnool Range, Kurnool, has sent the OEPR record initiated against Sri A.Venkateswara Rao, ARSI, DAR, Kurnool, now Retired from service on 31.12.2019, the Charges as Article-**1 ' Not Proved**", and Article -**2'Proved'**, during the departmental inquiry recommend for "10% cut in pension for one year and regularizing the period of desertion from 13-09-2018 to 11.12.2018, suspension from 07-08-2019 to 30-11-2019" and requested to issue orders at an early date.

5. The Director General of Police, AP., Mangalagiri while forwarding the above remarks of the Deputy Inspector General of Police, Kurnool Range, Kurnool along with Service particular and defaulter sheet, has requested the Government to issue suitable orders in the matter, since Government is competent to dispose the P.R under Rule-9 of A.P. Revised Pension Rules, 1980.

6. Government have examined the report of the Enquiry Officer and accepted the findings of the Enquiry Officer and provisionally decided to impose penalty of 10% (ten percent) cut in pension for a period of one year, duly treating the desertion period from 13.09.2018 to 11.12.2018 and the suspension from 07.08.2019 to 30.11.2019 as 'Not on Duty' against Sri A.Venkateswara Rao, ARSI, DAR Kurnool (Retired) under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980, as one of the charge held proved against him. Accordingly, Show Cause Notice was issued to the charged officer vide memo 2nd read above. Sri A.Venkateswara Rao, ARSI, DAR, Kurnool, now Retired has submitted his explanation received through the Director General of Police, A.P., vide letter 3rd read above and not convinced as per the gravity of charge.

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7. Government have examined the same and decided to impose the penalty of 10% (ten percent) cut in pension for a period of one year, duly treating the desertion period from 13.09.2018 to 11.12.2018 and the suspension from 07.08.2019 to 30.11.2019 as 'Not on Duty' against Sri A.Venkateswara Rao, ARSI, DAR Kurnool (Retired) under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980.

8. In the letter 7th read above, the Secretary, Andhra Pradesh Public Service Commission has informed that the Commission has agreed with the proposal of the Government as indicated at para- 7 and advised to take action accordingly.

9. Government, after careful examination of the entire issue, hereby impose the penalty of "10% (ten percent) cut in pension for a period of one year, duly treating the desertion period from 13.09.2018 to 11.12.2018 and the suspension from 07.08.2019 to 30.11.2019 as 'Not on Duty' against Sri A.Venkateswara Rao, ARSI, DAR Kurnool (Retired) under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980.

10. A copy of the reference 7th read above is communicated to the charged officer as per Rule 23 of APCS (CCA) Rules, 1991.

11. The Director General of Police, Andhra Pradesh is requested to take necessary further action in the matter accordingly. The records received through the letter 3rd read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SCERETARY TO GOVERNMENT

To
The Director General of Police, A.P., Mangalagiri (with records)
Copy to:-
The individual concerned (through the D.G.P., A.P., Mangalagiri.)
The Secretary, A.P. Public Service Commission, Vijayawada
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, Ibrahimpatnam, Krishna District.
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER.